

REMARKS/ARGUMENTS

The claims are 3-5. The Examiner objected to the Amendment filed on November 17, 2003 under 35 U.S.C. § 132 as introducing new matter into the disclosure. The Examiner took the position that the paragraph beginning with "In accordance with a preferred embodiment" and ending with "or an insulation of such materials and components", on pages 3 and 4 of the November 17, 2003 response, was not supported by the original disclosure and constitutes new matter.

This rejection is respectfully traversed.

The paragraph which the Examiner has objected to recites subject matter which was disclosed, inter alia, in the original claims 1 and 2 as filed. The claims as filed in the original specification are part of the disclosure of a patent application, and it is now well-accepted that if an application as originally filed contains a claim disclosing material not found in the remainder of the specification, the Applicant may amend the specification to include the claimed subject matter. In re Benno, 768 F.2d 1340, 226 U.S.P.Q. 683 (Fed. Cir. 1985). Accordingly, it is respectfully submitted that the paragraph beginning with "In accordance with a preferred embodiment" and ending with "or an insulation of such materials and components" is fully supported by the original disclosure, and Applicant

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- 2 -

respectfully requests that the rejection on this basis be withdrawn.

Claims 3-5 were also rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Essentially, the Examiner's position was that the following claim limitations appearing in newly added claim 5 constitute new matter: step (a), "generating a structured first layer"; step (b), "covering the filled structured layer with a new layer having a defined thickness"; steps (d), (e), (f), (g), (h) and (i), none of which, in the Examiner's view, are described in the originally filed specification.

This rejection is likewise respectfully traversed.

As stated above, the claims as filed in the original specification are part of the disclosure. Therefore, it is respectfully submitted that these paragraphs are fully supported by the specification as filed, including original claim 2 and pages 2-3 of the specification.

With respect to step (a), claim 2 specifically states that "A structured layer is generated by structured prefabrication of a liquid, light-setting material with selected physical, chemical or biological properties." As Confucius said, the longest

journey starts with the first step. So too here, the build-up always starts with the first layer during a layer construction.

With respect to step (b), claim 2 as filed states that "The structured layer is cleaned of the uncured material by means of a flushing process, filled with liquid, light-setting material with other physical, chemical or biological properties, and covered with a defined layer thickness..."

With respect to steps (d), (e), (f), (g), (h) and (i), it is respectfully submitted that the original steps (d), (e), (f), (g), (h) and (i) of claim 2, provide sufficient support for these steps. See also pages 2-3 of the specification which describes the technology employed by the invention.

The description of the invention need only be in sufficient detail so as to enable one of ordinary skill in the art to make and use the same. It is respectfully submitted that, from original claim 2 and the description of the process set forth on pages 2-3 of the specification, one skilled in the art would have sufficient information to perform the method for producing three-dimensionally arranged conducting and connecting structures as set forth in claim 5. Accordingly, it is respectfully submitted that the rejection under 35 U.S.C. § 112, first paragraph, be withdrawn.

In view of the foregoing, withdrawal of the final rejection and allowance of this application are respectfully requested.

Respectfully submitted,  
REINER GOTTEN - 1 (PCT)

COLLARD & ROE, P.C.  
1077 Northern Boulevard  
Roslyn, New York 11576  
(516) 365-9802  
FJD:jc

Allison C. Collard, Reg.No.22,532  
Edward A. Freedman, Reg.No.26,048  
Frederick J. Dorchak, Reg.No.29,298  
Attorneys for Applicant

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Fax No. 703-872-9311

I hereby certify that this correspondence is being sent by facsimile-transmission to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 15, 2004.

Frederick J. Dorchak